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SECOND REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS MISSION IN THE CENTRAL AFRICAN REPUBLIC

I. INTRODUCTION

1. The present report is submitted pursuant to paragraph 6 of Security Council resolution 1182 (1998) of 14 July 1998, by which the Council urged me to provide, as soon as possible, recommendations for United Nations assistance for the legislative election process in the Central African Republic.

2. In paragraph 5 of that resolution, the Security Council called upon the authorities of the Central African Republic to adopt rapidly an operational plan for the organization of legislative elections, and so enable the United Nations and international organizations to make arrangements for the provision of necessary assistance. Since that plan was adopted on 6 August 1998, I am now in a position to submit recommendations on a possible United Nations role in the legislative election process. The present report also provides an update on electoral developments since my report of 19 June 1998 (S/1998/540) on the United Nations Mission in the Central African Republic (MINURCA).

II. ELECTORAL PREPARATIONS

Institutional aspects

3. As indicated in my report of 19 June 1998, the Commission électorale mixte et indépendante (CEMI) was formally established by a decree on 28 May 1998. However, the Electoral Commission was not able promptly to begin its work, owing to differences among the political parties over its composition. In an effort to reconcile their respective positions, my Special Representative, Mr. Oluyemi Adeniji, convened a meeting of political parties on 16 June, together with the two members of the Group of Friends of the Central African Republic represented in Bangui, the ambassadors of France and of the United States of America. After protracted discussions, a consensus was finally reached on the chairmanship, Bureau and composition of the Electoral Commission, including a compromise formula for the sharing, among all main political parties, of posts in the CEMI Bureau.

4. Accordingly, President Ange-Félix Patassé signed a revised decree on the composition of the Electoral Commission on 18 June. The CEMI members were sworn in and the Commission held its first session on the following day, under the chairmanship of Mr. Michel Adama-Tamboux. Draft rules of procedure were adopted by the CEMI Bureau on 26 June and formally adopted by the Commission in plenary on the same day. The rules provide for the establishment of six technical subcommissions dealing with the following issues: finance; materials and logistics; voters lists and voter cards; candidacy, information and training; polling stations and counting centres; and security.

5. As indicated in my previous report, President Patassé initially decided to hold the legislative elections on 16 and 30 August 1998. However, the Electoral Commission, in keeping with the Electoral Code, proposed to hold the elections in September 1998. As a result, President Patassé signed a decree on 8 July setting the date of the first round of elections for 20 September 1998, with an electoral campaign from 5 to 18 September. The second round, which is to take place three weeks after the first, was thus set for 11 October.

6. On 24 July, the President signed and promulgated a law on electoral redistricting, as adopted by the National Assembly two weeks earlier. Article one of that law increased by 24 the previous number of deputies in the National Assembly for a total of 109 (representing 109 electoral districts). Article two set the following criteria for determining the number of districts: for Bangui, there would be one deputy per 65,000 inhabitants, and for the provinces, one per 40,000. A presidential decree establishing the electoral districts was signed on 31 July. However, both the law and the decree are being contested by the opposition parties as unconstitutional; the case is being considered by the Constitutional Court. For planning purposes, the Electoral Commission will need to know the exact number of deputies to be elected and the final electoral mapping as soon as possible.

Budgetary aspects

7. On 17 July, following several meetings with key donors, the Electoral Commission adopted a budget of $3.2 million, compared to initial estimates of about $4.4 million. At donors' meetings held in Bangui on 23 and 31 July, France pledged a contribution of FF 7 million (38 per cent of the total budget), while the European Union announced a contribution of 534 million CFA francs. Those contributions are to finance the production and transportation of electoral materials and equipment and the updating of the electoral lists and voter cards, as well as supervisory missions, technical assistance and observation of elections. Japan also pledged to cover transportation costs (helicopter and fuel) for the distribution and retrieval of electoral materials and equipment throughout the country, as well as the remuneration of poll workers. China announced a contribution in the form of 4 computers and 1,000 calculators. The United States was not in a position at the time to specify the amount of any pledge, but subsequently announced a contribution of $50,000 for the printing of ballot papers and $200,000 for the direct subcontracting of United States non-governmental organizations to promote electoral awareness and training, as well as observation activities. Canada pledged C$ 100,000 (US$ 66,000). The United Nations Development Programme (UNDP) confirmed that it would contribute $500,000 for a technical assistance project in support of the

electoral process, including training of electoral workers, voter education and technical support to the Electoral Commission.

8. The above pledges cover the budget of the Electoral Commission in full. While the European Union announced that its contribution to the CEMI budget would be bilateral in nature, Canada, France, Japan and the United States are channelling their contributions through the United Nations, under a cost-sharing project with UNDP.

Operational aspects

9. The Electoral Commission is now fully operational in Bangui, and most of its branches at the provincial level, the comités sous-préfectoraux, are also in place. However, the national coordination and operational activities of the Commission in preparation for the elections have been seriously impeded by the delay in the provision of necessary financial and other resources. In particular, supervisory missions to the provinces, a key step in the control and amendment of the electoral rolls, are far behind schedule, although the Office national informatique has made good progress in compiling the raw data.

10. According to the operational plan of the Electoral Commission (which was adopted and presented at the weekly donors' meeting on 6 August), a number of other key preparatory activities for the elections were, at the time of the drafting of the present report, five weeks behind schedule. They include a market survey for the procurement of ballot boxes and other electoral materials, the ordering of voter cards, the implementation of training programmes for poll workers and members of the comités sous-préfectoraux and the elaboration of a national logistic support plan for the distribution and retrieval of electoral materials throughout the country. With respect to the last item, in a letter to my Special Representative dated 31 July, the Chairman of the Electoral Commission requested United Nations assistance for the distribution and retrieval of electoral materials. The Chairman pointed out that this crucial element of electoral support had been provided by the French forces based in the Central African Republic during the 1993 elections. In this connection, it is pertinent to mention that donors, as well as the Friends of the Central African Republic in Bangui, expressed the view that the Mission's logistical support would be essential, as any alternative source, even if feasible, would be much more expensive.

11. On 7 August, President Patassé convened a meeting with donors, government officials, the Electoral Commission and MINURCA, at which the CEMI Chairman presented a progress report and indicated that, in view of the operational delays caused largely by the lack of resources, the elections might not be held as scheduled. However, President Patassé expressed the view that the election date of 20 September should be maintained. He also stressed that the ballot papers should be printed outside the country, a position that the Electoral Commission believed would further compound the delays in preparing the elections. On 14 August, the Electoral Commission met with President Patassé and subsequently announced in a press communiqué that it envisaged, for technical and legal reasons, a modification of the electoral calendar. The Commission also requested that the administrative authorities suspend the registration of candidatures until a new electoral calendar was established. At

a meeting held with donors and UNDP on 18 August, the Commission indicated that it would not set a new date for the elections until its preparations, especially the checking of the electoral lists, were well advanced and the role to be played by the United Nations in the electoral process became clear.

United Nations activities

12. During the reporting period, MINURCA, in close collaboration with UNDP and the Friends of the Central African Republic in Bangui, continued to provide advice and technical assistance to the Central African authorities in the planning and organization of the elections. My Special Representative, in cooperation with UNDP, has been sensitizing the international community to the need to respond positively and quickly to the call by the Security Council, in its resolution 1182 (1998), to provide the international assistance necessary to support the organization of the elections. The MINURCA electoral experts worked closely with the Electoral Commission to assist in the development of its operational plan and budget and in the coordination of electoral activities. I wish to express my gratitude to those Member States and international organizations that have responded with generous contributions to the electoral budget.

13. MINURCA continued to place special emphasis on the dissemination of accurate information as a tool for national reconciliation and peace. In this spirit, my Special Representative continued to give regular press conferences and to hold meetings with a broad spectrum of the Central African civil society, as well as all the international agencies represented in Bangui. In addition, with a generous contribution from the Government of Denmark, a United Nations radio station, Radio MINURCA, was launched on 22 July and began live broadcasting on 27 July. Radio MINURCA has been featuring topics related to the mandate of MINURCA and, working closely with the MINURCA electoral unit and UNDP, has also featured topics on the electoral process, thus providing a major tool to inform voters on the various stages of the process. As the only independent voice capable of reaching the entire country, Radio MINURCA has already established itself as a vital source of objective and factual information.

14. During the reporting period, MINURCA also completed its reconnaissance missions to key locations in the interior of the country to assess the situation outside Bangui in order to facilitate preparations for the elections and to help formulate recommendations on a future United Nations role in the electoral process.

15. Among other activities that have a bearing on the electoral process, as suggested by my Special Representative to President Patassé, a joint Government-MINURCA committee was established to agree upon a programme for the restructuring of the Forces armées centrafricaines (FACA) and to work out the modalities for its implementation. In addition, the civilian police component of MINURCA started its first one-month training session of 60 members of the national gendarmerie on 11 August. This would be followed immediately by a second one-month session, with a view to training at least 120 gendarmes before the elections.

III. POSSIBLE UNITED NATIONS ASSISTANCE IN THE ELECTORAL PROCESS

16. Pursuant to Security Council resolution 1182 (1998) and given the developments described in the preceding section, an operational plan for possible United Nations assistance in the electoral process in the Central African Republic has been developed by MINURCA. The plan is based on a detailed assessment made by MINURCA, in close cooperation with UNDP and key donor countries. Subject to Security Council approval, and with the understanding that the ultimate responsibility for the organization and conduct of the legislative elections rests with the Electoral Commission, MINURCA could provide the following support:

(a) The transport of electoral materials and equipment to selected sites and to the sous-préfectures and their retrieval, as well as the transport of United Nations electoral observers to and from the selected sites;

(b) A limited but reliable international observation of the first and second rounds of the legislative elections;

(c) Ensuring the security of electoral materials and equipment during their transport to and at the selected sites, as well as the security of United Nations electoral observers.

Logistic support

17. According to the above plan, MINURCA would provide for the timely road and air (plane and helicopter) transport of electoral materials and equipment from Bangui to the 69 sous-préfectures of the Central African Republic and, exceptionally, to a few polling stations (from among the 2,500 in the country) that are inaccessible by road. The electoral materials and equipment would also be retrieved by MINURCA and returned to Bangui.

18. MINURCA would transport the electoral materials and equipment to the 15 sous-préfectures located near Bangui. For the provinces, the bulk of electoral materials and equipment would be transported by MINURCA to six selected sites (Bambari, Bangassou, Berberati, Bouar, Kaga Bandoro and Ndélé towns) by air, and delivered from those six sites to the remaining 54 sous-préfectures by road or air, as appropriate. All return trips from the sous-préfectures that are accessible by road would take place on the same day, thereby obviating the need to set up support structures there.

19. The local electoral authorities would be responsible for the distribution of electoral materials from the sous-préfectures to the polling stations (apart from the above-mentioned stations inaccessible by road), as well as within the city of Bangui.

20. The United Nations electoral observers, as described below, would also be transported by MINURCA from Bangui to the six selected sites and back.

International observation

21. MINURCA would conduct a limited observation of the legislative elections, in close cooperation with other international organizations that might be invited by the Electoral Commission. In this context, it is proposed that a total of 14 medium-term and 80 short-term electoral observers be deployed to monitor the elections and assess their results.

22. The medium-term observers, in seven two-member teams, would be deployed to Bangui and to the six selected sites outside the capital four weeks before the date of the first round of polling, for a total period of about two months. The medium-term observers, who would be recruited from among the United Nations Volunteers, would monitor the electoral preparations and plan for the arrival of the short-term observers. The short-term observers would join the medium-term observers two or three days before the first round of polling, to form a total of 47 teams composed of two observers each. Half of the short-term observers would be recruited locally from among international personnel (MINURCA, United Nations agencies, international non-governmental organizations and the diplomatic corps). The other half would be recruited from abroad (United Nations personnel and mission appointees). The short-term observers from abroad could leave two or three days after the first round, since only the 40 locally recruited short-term observers would be required to observe the second round and would join the 14 medium-term observers to form 27 two-observer teams.

23. Under this plan, it is estimated that the teams would be able to visit at least 25 per cent of the polling stations (i.e., about a dozen per team). Bangui and the six selected sites where the electoral observers would be deployed represent, respectively, 10 and 17 per cent of the polling stations nationwide, thus providing a credible sample of the overall electoral process.

Provision of security

24. On the basis of a careful review of the situation in the Central African Republic, two options have been developed. Under the first option, it is estimated that the security of the electoral material and observers outside Bangui would best be provided by a minimum of 450 troops. Of those, 150 current MINURCA troops would be temporarily redeployed from Bangui to the six selected provincial sites. The remaining 300 troops would have to be provided by troop-contributing countries, to supplement the current authorized strength of the military component of MINURCA. Subject to Security Council approval, it is estimated that 8 to 10 weeks would be required for the deployment of the proposed 450 troops and the necessary support materials to the six provincial sites.

25. Under the second option, a maximum of 250 current MINURCA troops would be temporarily redeployed to the six selected sites, complemented by 150 FACA troops, for a total strength of 400. During the period of deployment at the six selected sites, the 150 national troops would be under the operational control of MINURCA. An estimated period of six weeks would be required for the redeployment of the MINURCA and FACA troops. In that connection, pursuant to paragraph 2 of Security Council resolution 1182 (1998) concerning the restructuring of the national armed forces, the FACA elements that would

cooperate with MINURCA could serve as the nucleus for the building of a republican, multi-ethnic Central African army.

26. Under both options, the troops would escort the electoral materials and equipment during their transport and retrieval as described in paragraphs 17 and 18 above. While ensuring security at the six provincial sites, the troops would escort and deliver the electoral materials to and from the sous-préfectures and the polling stations mentioned in paragraph 17. MINURCA would not provide for the security of electoral materials at any sous-préfecture or polling station outside those sites, since this would be the responsibility of the Central African authorities.

27. The deployment of troops under either option is based on the assumption that two platoon-sized elements of 30 to 40 personnel each would be required to provide security at each of the six selected sites. The troops would be deployed six weeks before the elections and would remain at those sites for about two and a half months. Should the Security Council approve a new mandate for MINURCA in support of the electoral process, the Mission's current rules of engagement would need to be reviewed to ensure consistency with the additional military tasks.

Financial requirements

28. The Mission's current air and road transportation assets, including contingent-owned equipment, would not be sufficient to support the deployment of and to sustain troops and observers outside Bangui, as well as to transport electoral materials and equipment to and from six provincial sites, 69 sous-préfectures and selected polling stations. The additional assets for the support of the Mission's deployed troops and observers would have to be funded from the MINURCA budget. The financial implications of these transportation and support assets, as well as the deployment of United Nations electoral observers and additional MINURCA troops under the two proposed options indicated in paragraphs 24 and 25 above, will be submitted shortly as an addendum to the present report. The cost of air and road transportation required for the delivery of electoral materials and equipment would be funded from the CEMI budget. It has been agreed with the donors concerned that their contributions would be administered by UNDP.

29. The deployment of 150 FACA troops to assist MINURCA outside Bangui, as proposed in paragraph 25 above, would need to be funded through voluntary contributions by Member States.

IV. OBSERVATIONS AND RECOMMENDATIONS

30. As described in the present report, substantial progress has been made by the Central African authorities in the preparations for the 1998 legislative elections. The Electoral Commission has prepared a budget acceptable to all concerned, including key donors who have pledged the necessary funds. However, the operational activities of the Commission are well behind schedule, as it was only inaugurated in late June and the disbursement of critical funds only started in late July. As already noted, it recently became clear that more time

would be required for completing the tasks defined in the CEMI operational plan. Accordingly, on 14 August, the Electoral Commission announced that the elections scheduled to be held on 20 September 1998 would have to be delayed. The Commission also indicated that it would set a new date for the elections after the completion of certain key preparatory steps and once the role it expects the United Nations to play in the electoral process has been determined.

31. In this context, it should be stressed that the ultimate responsibility for the organization and conduct of the legislative elections must rest with the Electoral Commission. Any proposed United Nations assistance can only be complementary to the Commission's work. It is therefore essential that the Electoral Commission take the measures necessary to ensure the timely delivery and retrieval of electoral material to all polling stations. It should also be stressed that the Central African authorities will be responsible for the maintenance of law and order throughout the country during the election process. In this connection, I am gratified that the training of the national gendarmerie has started and that a joint Government-MINURCA committee on the restructuring of the national armed forces has been established. The Government of the Central African Republic must continue to give priority attention to this issue, in accordance with Security Council resolution 1182 (1998).

32. With respect to the redeployment of MINURCA troops to the provinces, proposed in section III of the present report, it should be emphasized that the feasibility of such redeployment is predicated upon the assumption that the security situation during the electoral process in Bangui would remain stable. It should also be stressed, in this regard, that first option (see para. 24 above) would clearly be the preferred approach. This option would enable MINURCA to be in a better position to continue to assist in the maintenance of security in Bangui during the election process while, at the same time, ensuring security for the transport and retrieval of electoral material, as well as protection of the electoral observers at those sites. The second option (see para. 25 above) would not offer the same guarantees, since it would seriously weaken the Mission's presence in Bangui and would make it more difficult for it to respond effectively to security threats in the capital should they occur at any time during the election process.

33. With respect to the proposed international electoral observation (see paras. 21-23 above), the observation sites have been carefully selected, on the basis of population density, the number of polling stations in the area, the accessibility of the polling stations and security conditions, to provide a reliable picture of the conduct of the elections. Indeed, the monitoring of the electoral process in Bangui and the six selected sites would encompass at least 25 per cent of all polling stations nationwide. Based on the accumulated experience of the United Nations in electoral observation, this is considered to be a representative and credible percentage, which would enable my Special Representative to issue, at the end of the process, an overall assessment of the results of the legislative elections.

34. As noted in my last report (S/1998/540), MINURCA has succeeded since its establishment, on 15 April 1998, in maintaining security and stability in Bangui. At the same time, the Central African authorities, with the advice and support of my Special Representative, MINURCA and UNDP, have made significant

progress in implementing the Bangui agreements and initiating major political and economic reforms. This includes the recent conclusion of an agreement with the Bretton Woods institutions to address the pressing economic and social difficulties facing the country. Nevertheless, the national reconciliation process and the security situation remain fragile. The holding of timely legislative elections, in accordance with acceptable international standards, would undoubtedly help to further the peace process and create a climate of stability in which financial and economic reforms can be vigorously pursued.

35. Should the Security Council decide to expand the mandate of MINURCA to include assistance to the election process in the Central African Republic as outlined above, this could play an essential role. It is clear that without the effective support of the United Nations and the international community, it would not be possible for the Central African Republic to hold the elections within a time-frame consistent with constitutional provisions, thereby undermining the achievements made so far in the national reconciliation and peace process.

36. I therefore recommend that the Security Council approve the proposals for United Nations assistance in the electoral process contained in section III above and modify the Mission's mandate accordingly. As regards the provision of security to the electoral observers and material during the election process, I further recommend that, for the reasons given in paragraph 32 above, the Council consider approving the first option. Finally, I should also like to urge all the Central African parties to assume fully their responsibilities in the elections and to participate in them in a manner that will strengthen the democratic process in the country and contribute to genuine national reconciliation.